

To: Howarth, Robert[robert_howarth@ios.doi.gov]
Cc: Keable, Edward[edward.keable@sol.doi.gov]; Kevin Haugrud[jack.haugrud@sol.doi.gov]; Harris, Kaprice[kaprice.tucker@sol.doi.gov]; Timothy Murphy[Timothy.Murphy@sol.doi.gov]; Mariagrazia Caminiti[Marigrace.Caminiti@sol.doi.gov]; Ariana Rigsby[ariana.rigsby@sol.doi.gov]; Juliette Lillie[juliette_lillie@ios.doi.gov]
From: Cafaro, Cindy
Sent: 2017-04-27T07:39:58-04:00
Importance: Normal
Subject: Re: Incoming letter from Senator Michael Bennet
Received: 2017-04-27T07:40:38-04:00

Good morning.

As a starting point, as you know, the FOIA Improvement Act of 2016 went into effect Friday July 1st. On Tuesday July 5th, we informed the FOIA community (via an email list) that the law had been signed and some of the most important provisions, including that it:

- Codifies the foreseeable harm test
- Limits the time period for using the deliberative process privilege to 25 years after a record's creation
- Allows requesters 90 days to file appeals
- Further limits agencies' ability to charge fees when processing deadlines are missed.

On July 7th and 8th, we updated our Sample Language for FOIA Responses to include:

- New section on foreseeable harm
- Addition to Exemption 5 language to discuss limited time period for DP documents
- Updated appeals rights section to give requester at least 90 workdays to appeal (longer than required by statute)

On August 5th, we updated the Departmental Manual Chapter on FOIA to discuss additional roles of our Chief FOIA Officer.

On September 20th, we published updated regulations that:

- Provides additional information on the role of OGIS
- Requires foreseeable harm analysis
- Amends general principles that govern fees
- More time for requesters to appeal

These updated regulations went into effect on January 19th, 2017.

All of the documents discussed above can be found online at: <https://www.doi.gov/foia/news/guidance>

Additionally, the statistics requested can all be gathered (and I will be happy to gather them) from our Annual Reports, which are also online at: [https://www.doi.gov/foia/DOI FOIA Annual Reports](https://www.doi.gov/foia/DOI%20FOIA%20Annual%20Reports)

As for the questions about training materials, search instructions, and the effect of proposed budget cuts, I will look forward to discussing them with you and then providing you with written materials.

Thank you.

Cindy Cafaro | Departmental Freedom of Information Act Officer | US Department of the Interior

Direct: 202-208-5342 | Main: 202-208-3181

On Wed, Apr 26, 2017 at 5:21 PM, Howarth, Robert <robert_howarth@ios.doi.gov> wrote:

Hello all. I concur. This should be tasked to OES attention Cindy Cafaro.

I will chat with Cindy tomorrow morning.

Rob

On Wed, Apr 26, 2017 at 5:09 PM, Keable, Edward <edward.keable@sol.doi.gov> wrote:

Jack,

FYI.

It seems more appropriate for ExecSec to respond to this request as they manage the Department's FOIA policy office. I recommend you ask them to respond for the Department.

Ed

----- Forwarded message -----

From: **Rigsby, Ariana** <ariana.rigsby@sol.doi.gov>

Date: Wed, Apr 26, 2017 at 4:57 PM

Subject: Incoming letter from Senator Michael Bennet

To: Timothy Murphy <timothy.murphy@sol.doi.gov>, Kaprice Tucker
<kaprice.tucker@sol.doi.gov>

Cc: Edward Keable <edward.keable@sol.doi.gov>, Mariagrazia Caminiti
<marigrace.caminiti@sol.doi.gov>

Good Afternoon,

We received the attached letter from Senator Bennet requesting information about DOI's FOIA guidance, standards, and processes.

I've entered it into DTS for tracking purposes (SOL0001177). Please let me know if you need this routed to anyone else.

Thank you!

Ariana Rigsby
Staff Assistant, Office of the Solicitor
U.S. Department of the Interior
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